

NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

RULE REPEAL AND PROMULGATION: DMR Regulation 95.04 BB, Closed Area No. 50, Sorrento, promulgated on September 10, 1996, is repealed and replaced with the following rule:

TEXT OF RULE: DMR Regulation 95.04 BB, Closed Area No. 50, Sorrento.

1. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of Sorrento, Hancock County, in the following two areas:
 - (A) The area bounded by a line drawn southerly from a red painted post located at the easternmost tip of Doan's Point, so-called, to the eastern tip of Preble Island, thence westerly along the northern shore of said island and the northern shore of Dram Island to its western tip, thence northerly to Bean Point.
 - EXCEPTION: Shellfish may be harvested from October 1 through April 30 in Sorrento Harbor and Eastern Point Harbor.**
 - (B) The area of Back Cove east and north of a line starting at a red-painted post on the tip of Van Duesen Point; extending southeasterly to the tip of Huber Point, so-called, on the north shore of Back Cove; and continuing south to a red-painted post, approximately 1200 feet east of Wilson Point, so called, on the south shore of Back Cove.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. Section 6204).

EFFECTIVE DATE: January 11, 1999

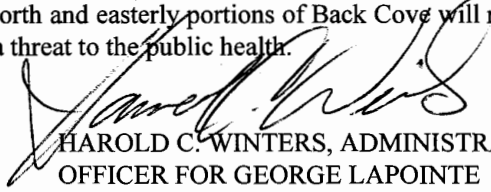
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Ellsworth American
January 14, 1999

STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 95.04 BB, Closed Area No. 50, promulgated on September 10, 1996 and replaces it with a new regulation which decreases the size of the closed portion of Back Cove, Sorrento.

Department personnel have sampled the waters and surveyed the closed area. They have found that Sorrento Harbor and Eastern Point Harbor need only be closed from late spring to early fall when an increase in the number of moored vessels poses a threat to the public health. The north and easterly portions of Back Cove will remain closed year-round because a licensed pollution discharge poses a threat to the public health.


HAROLD C. WINTERS, ADMINISTRATIVE
OFFICER FOR GEORGE LAPOINTE
COMMISSIONER AS AUTHORIZED BY
12 MRSA SECTION 6023



Department of Marine Resources

Legal Notice of Shellfish Closure Area C50

